

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MALIBU MEDIA, LLC,)	
)	
Plaintiff-Judgment Debtor,)	
)	
v.)	
)	
WILLIAM MULLINS,)	No. 18 C 6447
)	
Defendant-Judgment Creditor,)	Judge Thomas M. Durkin
)	
and)	
)	
CC BILL, LLC,)	
)	
Third-party Citation Respondent.)	

TURNOVER ORDER DIRECTED TO CC BILL, LLC

This matter is before the court on William Mullins’ motion for a turnover order directed to CC Bill, LLC for \$17,635.04. Dkt 172. Upon consideration of the motion and arguments of counsel, the court hereby finds that:

1. The court originally entered judgment in favor of Mullins and against Malibu Media for \$48,656.73 plus interest and costs. On April 20, 2021, the Clerk of Court issued a citation to discover assets directed to Malibu Media and its designated corporate representative, Colette Pelissier. When Pelissier failed to abide by the citation, Mullins obtained an asset restraining order from the court. Dkt. 117.

2. The asset restraining order defines “X-Art.com Proceeds” as “the proceeds of the X-art.com website’s commercial activity.” August 12, 2021, asset restraining order, Dkt. 117 at p. 2. This court subsequently issued a declaratory

ruling finding among other things that: (1) Malibu Media is the fee simple owner of the X-Art.com Proceeds; and (2) by virtue of the citation to discover assets Mullins served on Malibu Media, Mullins has an execution lien in the X-Art.com Proceeds to secure the payment of his judgment. Dkt 125 at ¶ 18. By two turnover orders directed to Epoch.com, LLC the original \$48,656.73 judgment was satisfied in December 2021.

3. On November 29, 2021, this court entered an amended judgment (in addition to the original \$48,656.73 judgment) in favor of Mullins and jointly and severally against ZO Digital, Malibu Media, and Colette Pelissier for attorney fees of \$59,614.52 (for the use and benefit of The Peacock Law Group). Dkt. 145. The amended judgment consisted of statutory civil penalties assessed against those parties for disobeying the restraining provision of the citation to discover assets and disobeying numerous court orders to produce asset information.

4. On February 28, 2022, the court granted Mullins' motion for a turnover order directed to Epoch.com, LLC for \$41,979.48 in X-Art.com Proceeds that Epoch held. Dkt 159. Epoch, who has terminated its relationship with Malibu Media, complied with that turnover order and thus reduced the amended judgment balance to \$17,635.04.

5. On March 29, 2022, the Clerk of Court issued a citation to discover assets directed to CC Bill, LLC, an Arizona limited liability company that processes credit card transactions. On March 30, 2022, Mullins caused the citation to be served on CC Bill with notice to the judgment debtors. Mullins also provided CC Bill with copies of the court's restraining order (Dkt 117) and subsequent order, which found

the X-Art.com Proceeds to be property of Malibu Media and subject to Mullins judgment. Dkt 133.

6. On April 11, 2022, CC Bill answered the citation to discover assets. In its answer, CC Bill stated that since Mullins served CC Bill with the citation on March 30, 2022, CC Bill is restraining X-Art.com Proceeds totaling \$24,041.51, an amount which is in excess of \$17,635.04 judgment balance. CC Bill further stated that there are no prior garnishments or court-ordered withholdings directed to the funds they are restraining. CC Bill's answer interposed no objection, defense or set-off to the Mullins' right to apply the restrained funds to the judgment.

Accordingly, **it is hereby ordered that the judgment creditor's motion for a turnover order directed to CC Bill is GRANTED and specifically ORDERED that:** CC Bill is directed to turn over to Mullins \$17,635.04. CC Bill should issue payment to: "The Peacock Law Group Client Trust Fund Account" and tender such payment via Federal Express at the expense of Mullins. Within seven business days of its receipt of payment, Mullins shall file a satisfaction of judgment with the court and upon its filing all court-ordered injunctions and restraints relating to Mullins' judgment enforcement are dissolved.

ENTERED:

Date: April 20, 2022

A handwritten signature in black ink, reading "Thomas M. Durkin". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

JUDGE THOMAS M. DURKIN